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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/827,847	04/06/2001	Hassan H. Hagirahim	Hagirahim 10	6642
26291	7590	10/05/2004	EXAMINER	
MOSER, PATTERSON & SHERIDAN L.L.P. 595 SHREWSBURY AVE, STE 100 FIRST FLOOR SHREWSBURY, NJ 07702			HO, CHUONG T	
			ART UNIT	PAPER NUMBER
			2664	

DATE MAILED: 10/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/827,847	HAGIRAHIM, HASSAN H.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Chuong Ho	2664	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

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1. Claims 1-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over pending.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-32 are rejected under 35 U.S.C. 102(e) as being anticipated by Hagirahim et al. (U.S. Patent No. 6,771,763 B1)

In the claims 1, 13, 14, see figure 1, Hagirahim et al. discloses a system of transporting packets from a first voice switch (the first VoDSL gateway (150)) coupled to a communication network (PSTN), comprising:

Receiving, at the first voice switch (the first VoDSL gateway (150), see claim 1, col. 7, lines 45-64) information bearing packets from a first subscriber (see figure 1, col. 1, lines 65-67, receiving, at a VoDSL gateway servicing a first subscriber, compressed voice traffic from the first subscriber for routing to a second subscriber (see claim 2, col. 7, lines 65-67); determining whether the second subscriber is served by a respective second VoDSL gateway, col. 2, lines 1-5) intended for routing to a second subscriber; Digitizing voice traffic (col. 3, lines 45-50); packetizing digitized traffic (see col. 3, lines 45-50); compress packetized traffic (see col. 3, lines 45-50);

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Multiplexing packets onto a transport stream (see col. 3, lines 47-52) intended for second voice switch (second VoDSL gateway 170) serving said second subscriber (see figure 1, col. 1, lines 65-67, see claim 1, col. 7, lines 45-64, col. 6, lines 30-35);

Determination that first switch and second switch are compatible (see claim 10, col. 8.

Enabling the communication of transport stream to communication network (see claim 1, 2, col. 7, lines 45-65, claim 4, col. 8, lines 7-8, see figure 3, col. 4, lines 43-49).

4. In the claims 15, 22, 23, see figure 1, Hagirahim et al. discloses a system of transporting packets from a first voice switch (the first VoDSL gateway (150)) coupled to a communication network (PSTN), comprising:

Receiving, at the first voice switch (the first VoDSL gateway (150), see claim 1, col. 7, lines 45-64) information bearing packets from a first subscriber (see figure 1, col. 1, lines 65-67, receiving, at a VoDSL gateway servicing a first subscriber, compressed voice traffic from the first subscriber for routing to a second subscriber (see claim 2, col. 7, lines 65-67); determining whether the second subscriber is served by a respective second VoDSL gateway, col. 2, lines 1-5) intended for routing to a second subscriber;

Multiplexing packets onto a transport stream (see col. 3, lines 47-52) intended for second voice switch (second VoDSL gateway 170) serving said second subscriber (see figure 1, col. 1, lines 65-67, see claim 1, col. 7, lines 45-64, col. 6, lines 30-35);

Determination that first switch and second switch are compatible (see claim 10, col. 8.

Enabling the communication of transport stream to communication network (see claim 1, 2, col. 7, lines 45-65, claim 4, col. 8, lines 7-8, see figure 3, col. 4, lines 43-49).

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5. In the claims 24, 31, 32, see figure 1, Hagirahim et al. discloses a system of transporting packets from a first voice switch (the first VoDSL gateway (150)) coupled to a communication network (PSTN), comprising:

Receiving, at the first voice switch (the first VoDSL gateway (150), see claim 1, col. 7, lines 45-64) information bearing packets from a first subscriber (see figure 1, col. 1, lines 65-67, receiving, at a VoDSL gateway servicing a first subscriber, compressed voice traffic from the first subscriber for routing to a second subscriber (see claim 2, col. 7, lines 65-67); determining whether the second subscriber is served by a respective second VoDSL gateway, col. 2, lines 1-5) intended for routing to a second subscriber; Digitizing voice traffic (col. 3, lines 45-50); packetizing digitized traffic (see col. 3, lines 45-50); compress packetized traffic (see col. 3, lines 45-50);

Multiplexing packets onto a transport stream (see col. 3, lines 47-52) intended for second voice switch (second VoDSL gateway 170) serving said second subscriber (see figure 1, col. 1, lines 65-67, see claim 1, col. 7, lines 45-64, col. 6, lines 30-35);

Determination that first switch and second switch are compatible (see claim 10, col. 8.

Enabling the communication of transport stream to communication network (see claim 1, 2, col. 7, lines 45-65, claim 4, col. 8, lines 7-8, see figure 3, col. 4, lines 43-49).

6. In the claims 2, 16, 25, Hagirahim et al. discloses creating a packet transport medium (see figure 3, col. 4, lines 43-50).

7. In the claims 3, 17, 26, Hagirahim et al. discloses creating a packet transport medium further comprises creating an Asynchronous Transfer Mode (ATM) physical layer over a Digital Signal Level Zero (DS0) communication link (see col. 3, lines 15-23).

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8. In the claims 4, 18, Hagirahim et al. discloses creating a packet transport medium further comprises creating an ATM logical path over DS0 link (see col. 3, lines 15-23).
9. In the claims 5, 19, 27, Hagirahim et al. discloses creating an Asynchronous Transfer Adaptation Layer 2 (AAL2) layer over DS0 link (see col. 4, lines 18-40).
10. In the claims 6, 20, 28, Hagirahim et al. discloses transport stream comprises AAL2 packets (see claim 2, col. 7, lines 65-67, col. 4, lines 18-40).
11. In the claims 7, 21, 29, Hagirahim et al. discloses AAL2 packet comprises: a caller identifier field for identifying a caller (see figure 3, col. 4, lines 18-40).
12. In the claim 8, Hagirahim et al. discloses AAL2 packet comprises: a length indicator field for identifying the size of a payload (see figure 3, col. 4, lines 18-40).
13. In the claim 9, Hagirahim et al. discloses AAL2 packet comprises: a header error check field for identifying errors in the call identifier field (see figure 3, col. 4, lines 18-40).
14. In the claim 10, Hagirahim et al. discloses AAL2 packet comprises: a payload field for transporting packets (see figure 3, col. 4, lines 18-40).
15. In the claim 11, Hagirahim et al. discloses AAL2 packet comprises: a User-to-User Indicator field for providing a link between a CPS sub-layer and a Service Convergence sub-layer (SSCS) of the AAL2 packet (see figure 3, col. 4, lines 18-40).
16. In the claim 12, 30, Hagirahim et al. discloses packets are compressed voice packet (see col. 4, line 22).

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuong ho whose telephone number is (571)272-3133. The examiner can normally be reached on Monday-Friday from 8:00AM-4:00PM.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chuong Ho  
Examiner  
Art Unit 2664

09/30/04

A handwritten signature in black ink, appearing to be 'W. Ho', with a long horizontal line extending to the right.